



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/018,570	12/20/2001	San-Wook Park	08015.0005	5013

7590 01/10/2005

Finnegan Henderson Farabow
Garrett & Dunner
1300 I Street NW
Washington, DC 20005

EXAMINER

ENG, GEORGE

ART UNIT	PAPER NUMBER
----------	--------------

2643

DATE MAILED: 01/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/018,570

Applicant(s)

PARK, SAN-WOOK

Examiner

George Eng

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) 10-23 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-9 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/20/2001</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election of Group I in the reply filed on 9/22/2004 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

2. This application contains claims 10-23 drawn to an invention nonelected. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

Priority

3. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Korea on 4/7/2000. It is noted, however, that applicant has not filed a certified copy of the 2000-22558 application as required by 35 U.S.C. 119(b).

Information Disclosure Statement

4. The information disclosure statement filed 12/20/2001 has been considered.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 2643

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1 and 5-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Kusano et al. (JP 05259936A hereinafter Kusano).

Regarding claim 1, Kusano discloses a monitoring system on a wireless communication network comprising a repeater monitoring apparatus (9, figure 1) for selecting wave transferred from repeaters (3-6, figure 1) and analyzing the wave by using programs, and transmitting analyzed results, a center (7, figure 1) read as an SMS center for receiving the analyzed results from the repeater monitoring apparatus, and transmitting the analyzed results, a computer (10, figure 1) read as a repeater manager server for receiving the analyzed results from the SMS center and managing a plurality of repeaters and a storage apparatus for saving the analyzed results received from the repeater management server (abstract).

Regarding claims 5-6, Kusano teaches the repeater management server modifying an analysis result transmission period of the repeater monitoring apparatus through the communication network, wherein the communication network is a mobile communication network (figures 1-2).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

9. Claims 2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kusano et al. (JP 05259936A hereinafter Kusano) in view of Mayo (US PAT. 5,133,081).

Regarding claim 2, Kusano differs from the claimed invention in not specifically teaching the analyzed results received from the repeater monitoring apparatus being information of short message type. However, Mayo teaches the to broadcast short message during special events in order to minimizes the spectrum required for a radio information network (col. 21, lines 21-36). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Kusano in having the analyzed results received from the repeater monitoring apparatus being information of short message type, as per teaching of Mayo, in order to minimizes the spectrum required for a radio information network.

Regarding claim 4, Kusano differs from the claimed invention in not specifically teaching means for searching and selecting a short message including the analyzed results from the plural short messages. However, Mayo teaches the to broadcast short message during special events in

Art Unit: 2643

order to minimizes the spectrum required for a radio information network (col. 21, lines 21-36) so that one skill in the art would recognize the system of Mayo including means for searching and selecting a shot message corresponding to a special event from a plurality of short messages. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Kusano in having means for searching and selecting a short message including the analyzed results from the plural short messages, as per teaching of Mayo, in order to minimizes the spectrum required for a radio information network.

10. Claims 7-9 rejected under 35 U.S.C. 103(a) as being unpatentable over Kusano et al. (JP 05259936A hereinafter Kusano).

Regarding claims 7-8, Kusano teaches to collect electric power information of each radio repeaters stations (abstract) so that one skill in the art would recognize the repeater monitoring apparatus comprising an incoming terminal and an incoming line for drawing external power sources, the transformer for adjusting the power source, wherein the power sources transformed by the transformer is at least one selected from group of 12V, 7.2V and 3.6V.

Regarding claim 9, Kusano teaches the repeater monitor apparatus within a radio repeater station (figure 1), which obviously comprising the external wave cover case for connecting the repeater.

Allowable Subject Matter

11. Claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

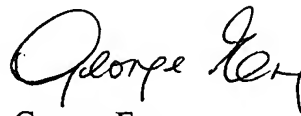
12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Maruyama (JP 06125285A) discloses repeater supervisory and control system (abstract). Saito et al. (JP 09036859A) discloses a monitoring information repeating method (abstract). Horiuchi et al. (US PAT. 6,556,325) discloses an optical repeater monitoring system (abstract).

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is 703-308-9555. The examiner can normally be reached on Tue-Fri 7:30 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A. Kuntz can be reached on 703-305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2643

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in cursive script, appearing to read "George Eng".

George Eng
Primary Examiner
Art Unit 2643